



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of)
MORI) Art Unit 2188
Application Number: 10/767,433)
Filed: January 30, 2004) Ellis, Kevin L.
For: STORAGE DEVICE CONTROL UNIT AND)
METHOD OF CONTROLLING THE SAME)
Attorney Docket No. HITA.0507)

Honorable Assistant Commissioner
for Patents
Washington, D.C. 20231

**PETITION TO WITHDRAW FROM ISSUE
UNDER 37 C.F.R. §1.313(c)(2) AFTER PAYMENT OF ISSUE FEE**

Sir:

Applicants respectfully petition that the above identified application be withdrawn from issue. Withdrawal from issue is necessary in order to consider a Request for Continued Examination (RCE) under 37 CFR § 1.313(c)(2).

The issue fee was paid on April 6, 2005. However, recent prosecution before the French Patent Office identified prior art references which Applicants believe should be considered by the Examiner. We hereby file a Request for Continuing Examination in conjunction with filing an RCE, and an Information Disclosure Statement with a copy of the above-noted publication and its corresponding U.S. patent. We respectfully request the application be withdrawn from issue in order to permit the Examiner to consider the Information Disclosure Statement.

04/15/2005 SZEWDIE1 00000023 10767433

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130.00 OP

Enclosed is a check in the amount of \$130.00 to cover the required petition fee. The commission is hereby authorized to charge any insufficiency or credit any overpayment to Deposit Account No. 08-1480.

Respectfully submitted,

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